



Writ Petition No.10844 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.10844 of 2025

Thirugnanasampantham
S/o.Late Chennimalai Gounder

... petitioner

Vs

The Sub Registrar
Chennimalai
Erode District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned refusal check slip dated 04.03.2025 made in RFL/Chennamalai/23/2025 issued by the respondent and quash the same and consequentially direct the respondent to register the Partition Deed dated 04.03.2025.

For Petitioner	:	Mr.V.Anandhamoorthy
For Respondent	:	Mr.U.Baranidharan Special Government Pleader



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ORDER

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This writ petition has been filed challenging the refusal check slip dated 04.03.2025 issued by the respondent and for a consequential direction to the respondent to register the Partition Deed dated 04.03.2025 and to release the document.

2. Heard Mr.V.Anandhamoorthy, learned counsel for the petitioner and Mr.U.Baranidharan, learned Special Government Pleader for the respondent.

3. The refusal check slip has been issued by the respondent mainly on the ground that the petitioner has to pay a sum of Rs.4,01,375/- and revenue recovery proceedings had already been initiated. Hence, there is a charge over the property. Accordingly, the respondent has refused to register the document.

4. The learned counsel for the petitioner submitted that the family members wanted to enter into partition and that they do not intend to create any third party rights and an affidavit will also be filed to that effect.

5. Taking into consideration the facts and circumstances of the case and the submissions made on either side, there shall be a direction to the petitioner to submit a sworn affidavit before the respondent stating



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that no third party rights are created in respect of the subject property and that partition among family members will not take away the charge that was created over the entire property till the amount is repaid. On such sworn affidavit being filed before the respondent, the Partition Deed dated 04.03.2025 shall be entertained and registered, if it is otherwise in order.

In the result, the Writ Petition is disposed of in the above terms. There shall be no order as to costs.

28.03.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order

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To

The Sub Registrar
Chennimalai
Erode District.



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N.ANAND VENKATESH, J

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